

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

GREGORY S. TIFT,

Plaintiff,

v.

MICHAEL D. BALL, *et al.*,

Defendants.

CASE NO. C07-0276RSM

ORDER GRANTING DEFENDANTS'
MOTION TO COMPEL INITIAL
DISCLOSURES

This matter comes before the Court on defendants' Motion to Compel initial disclosures. (Dkt. #11). Defendants argue that plaintiff, appearing pro se, has submitted initial disclosures which are not in conformance with Fed. R. Civ. P. 26(a)(1). Plaintiff responds that he has made every attempt to comply with the rules governing initial disclosures, and argues that he has provided sufficient responses in accordance with Fed. R. Civ. P. 26(a)(1).

Having reviewed defendants' motion, plaintiff's response, defendants' reply, the declarations and exhibits attached thereto, and the remainder of the record, the Court hereby finds and ORDERS:

1) Defendants' Motion to Compel (Dkt. #11) shall be GRANTED. The Court finds that plaintiff has not complied with his initial disclosure obligations under Fed. R. Civ. P. 26(a)(1). First, although plaintiff has provided names, addresses, and phone numbers of individuals who are likely to have discoverable information, plaintiff has not identified "the subjects of the information." *See* Fed. R. Civ. P. 26(a)(1)(A). "The disclosing party should provide a brief description of the subject matter of the information each prospective witness has.

1 It is not necessary to provide a detailed narrative of all the facts known to each witness; a brief
2 description of the general topics of each witness' knowledge will suffice." 6-26 Moore's
3 Federal Practice - Civil § 26.22[4][a][ii].

4 Second, plaintiff has not provided documents, electronically stored information, and
5 tangible things that are in his possession, custody, or control that he will use to support his
6 claim. *See* Fed. R. Civ. P. 26(a)(1)(B). Plaintiff has merely supplied defendants with case law
7 and depositions that defendants already possess. Plaintiff may comply with this obligation "by
8 providing a *description* by category and location of all documents, electronically stored
9 information, and tangible things it expects to use during the proceeding." 6-26 Moore's Federal
10 Practice - Civil § 26.22[4][b][iii] (emphasis added).

11 Lastly, plaintiff has not provided a general computation of damages to support his claim
12 or any documents in support of such computation. *See* Fed. R. Civ. P. 26(a)(1)(C). Plaintiff
13 has only included a description of why he is seeking relief. Plaintiff is required to "furnish
14 copies, or make available for inspection and copying, the damage and injury documents." 6-26
15 Moore's Federal Practice - Civil § 26.22[4][c][i]. In addition, a plaintiff has the "obligation to
16 disclose to the other parties the best information available to it concerning that claim, however
17 limited and potentially changing it may be." *Id.* at [4][c][ii].

18 Therefore the Court ORDERS plaintiff to comply with his initial disclosure obligations
19 under Fed. R. Civ. P. 26(a)(1) pursuant to the language contained herein no later than thirty
20 (30) days from the date of this Order. The Court recognizes that plaintiff is appearing pro se
21 and has previously made a good faith effort to comply with his obligations under the Federal
22 Rules. Consequently, no sanctions shall be imposed.

23 2) The Clerk shall forward a copy of this Order to all counsel of record.

24 DATED this 18th day of October 2007.

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26 RICARDO S. MARTINEZ
27 UNITED STATES DISTRICT JUDGE
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